104-10427-10043

Union Calendar No. 901

94th Congress, 2d Session - - - - - - - - House Rept. No. 94-1781

REPORT

TOGETHER WITH

ADDITIONAL AND SUPPLEMENTAL VIEWS

OF THE

SELECT COMMITTEE ON ASSASSINATIONS

U.S. HOUSE OF REPRESENTATIVES

JFK ACT 01-13-99 RELEASE

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DECEMBER 31, 1976.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

89-006 WASHINGTON : 1976

04422

LETTER OF TRANSMITTAL

U.S. HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON ASSASSINATIONS,
Washington, D.C., December 31, 1976.

Hon. EDMUND L. HENSHAW, Jr.,
Clerk, U.S. House of Representatives, Washington, D.C.

DEAR MR. HENSHAW: On behalf of the House Select Committee on Assassinations and pursuant to the mandate of House Resolution 1540, I am transmitting herewith to the House of Representatives the report of the committee representing the results of the committee's investigation and study since its inception on September 17, 1976. The report includes the recommendations of the committee with respect to continued investigation by the House of Representatives of the assassinations of John F. Kennedy and Martin Luther King, Jr.

I would like, at this time, to express the deep appreciation of the committee to the committee staff for its excellent work on this phase of the Select Committee's investigation.

I note, on my retirement from the House of Representatives, the fine start which has been made on this investigation, for whose initiation I have worked over the past years. It is my sincere hope that the House will see fit to proceed with the investigation in the same thorough and professional manner in which it has begun.

Sincerely,

THOMAS N. DOWNING,
Chairman.

Enclosure: Report.

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94TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
2d Session } { No. 94-1781

RESULTS AND RECOMMENDATIONS OF THE SELECT COMMITTEE ON ASSASSINATIONS

DECEMBER 31, 1976.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. DOWNING, from the Select Committee on Assassinations submitted the following

REPORT

I. INTRODUCTION

Twelve years have passed since the Warren Commission released its report finding that Lee Harvey Oswald was the sole assassin of President John F. Kennedy.

Eight years have passed since Judge W. Preston Battle of the Shelby County, Tenn., Criminal Court accepted James Earl Ray's plea of guilty to the murder of Dr. Martin Luther King, Jr.

The passage of time has not healed the national trauma caused by these assassinations. In the ensuing years, old doubts have remained and new disturbing questions have been raised as additional evidence has come to light.

The following are just a few examples of these new issues:

(1) Did the Central Intelligence Agency deliberately avoid furnishing critical information to the Federal Bureau of Investigation which would have resulted in the surveillance of Lee Harvey Oswald prior to the assassination of President Kennedy? If so, why?

(2) Was critical evidence withheld from the Warren Commission? If so, why?

The U.S. Senate Select Committee to Study Governmental Operations, in a report released April 23, 1976, concluded that the performance of U.S. intelligence agencies was defective both with respect to the investigation of the assassination of President Kennedy as well as the reporting to the Warren Commission. That report states in part:

> In the days following the assassination of President Kennedy, nothing was more important to this country than to determine the facts of his death; no one single event has shaken the country more. Yet the evidence the Committee has developed suggests that, for different reasons, both the CIA and the FBI failed in, or avoided carrying out, certain of their responsibilities in this matter.
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> * * * * * * *
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> The Committee emphasizes that it has not uncovered any evidence sufficient to justify a conclusion that there was a conspiracy to assassinate President Kennedy. The Committee, has, however, developed evidence which impeaches the process by which the intelligence agencies arrived at their own conclusions about the assassination, and by which they provided information to the Warren Commission. *This evidence indicates that the investigation of the assassination was deficient and that facts which might have substantially affected the course of the investigation were not provided the Warren Commission or those individuals within the FBI and CIA, as well as other agencies of Government who were charged with investigating the assassination.* (Emphasis supplied.)

(3) There are reports of intensive surveillance of Dr. Martin Luther King by domestic intelligence agencies, including the FBI. Who and where were these agents at the time of Dr. King's assassination? Do they have any evidence concerning the assassination or any plans to commit it? Was this surveillance deliberately curtailed prior to the assassination? And, if so, why?

(4) There are reports that there were unusual transfers of personnel by the Memphis Fire and Police Departments on April 3 and April 4, 1968, which may or may not have affected the security of Dr. King. If so, why were these transfers made and at whose direction?

Over the years repeated disclosures of agency misconduct, foreign assassination attempts, concealed information, destruction of evidence and possible deliberate misinformation have fostered among our citizens an ensuing lack of confidence in Government agencies.

As a result, there has been a growing sense of national concern about the adequacy and integrity of the original investigations. The history of these assassinations has demonstrated that the passage of more time will only increase that concern, and only a thorough and definitive inquiry at this time will resolve the growing doubts.

On September 17, 1976, the House of Representatives rose to this challenge. It created the Select Committee on Assassinations (H. Res. 1540) with the mandate to conduct a "full and complete investigation of the circumstances surrounding the death of John F. Kennedy and the death of Martin Luther King, Jr., and of any others the Select Committee shall determine."

The members of the Select Committee recognized the need to resolve certain preliminary matters in the 3 months remaining before the close of the 94th Congress. With a realistic appraisal of the task in mind, staffing and budget levels were determined. Threshold investigative inquiries were begun. With the advent of the new Congress the committee is now prepared to proceed with the investigation.

The committee undertook its legislative mandate with the recognition of its responsibility to the American public. The purpose of this mandate is to investigate and provide the facts relating to both assassinations and to do so in a manner which will be credible, professional, ethical and will reflect well on the integrity of Congress.

Pursuant to this mandate, the committee will make recommendations regarding the adequacy of existing laws relating to the assassination of the President of the United States, conspiracy, deprivation of civil rights, and the investigatory authority and capability of agencies and departments of the United States government.

The committee has received widespread support for this legislative investigation. An assistant counsel to the Warren Commission, citing recent disclosures of documents which were withheld from the Warren Commission, strongly urged the reopening to the investigation. He stressed that "the conduct of the Commission and of the agencies upon which it relied should be carefully examined and any new information be fully pursued."

The important questions, he said, are "not only how and why President Kennedy was assassinated, but how such events can be effectively investigated." He was joined by another assistant counsel to the Warren Commission who has endorsed "a full and thorough investigation of both assassinations."

In the case of the King assassination, the committee was provided with the results of a 1975 investigation conducted by the Atlanta, Ga., Bureau of Police Services. The report states in part: " * * * even a cursory examination of certain information presented to us elicits some very interesting series of coincidences which would appear to merit investigation by appropriate agencies." The report urges that a new investigation be undertaken in order to reach "a more definitive position on the circumstances surrounding the assassination of Dr. Martin Luther King, Jr."

II. THE COMMITTEE'S INITIAL ACTIONS

The committee's first task was the selection and appointment of a chief counsel and director.

The committee obtained the services of Richard A. Sprague. Mr. Sprague served as First Assistant District Attorney of Philadelphia, Pa., from June 1966, until December 1974. He has represented the Commonwealth of Pennsylvania as prosecuting attorney in more than 10,000 criminal trials. Serving as Special Prosecutor for Washington County, Pa., he was responsible for the investigation and subsequent prosecution of the Yablonski murder cases. As Special Assistant to the Attorney General of the United States, he was responsible for the conviction of W. A. "Tony" Boyle, the deposed president of the United Mine Workers.

The committee considered the necessity of moving expeditiously on both investigations. It felt that new evidence pertaining to either the Kennedy or King assassination should be pursued immediately, that further delay would be unwarranted.

Thus, the committee decided to pursue each investigation simultaneously. It organized itself into two subcommittees: one, chaired by Walter E. Fauntroy to direct the King investigation; the other, chaired by Richardson Preyer to pursue the Kennedy probe. All members of the Full Committee will be active in both investigations.

The committee agreed upon the need for a staff of 170. This figure provides for two investigative teams of approximately 15 attorneys and 25 investigators each. It is the intention of the committee to recruit the best talent within this Nation. The committee believes it can attract dedicated professionals in the field of criminal investigation with broad experience and ability, who will view this call as a professional challenge as well as an opportunity for public service. Substantial progress has been made in this area.

Finally, the committee decided unanimously not to conduct the investigations under deadlines. One reason for this is to avoid a situation where an agency, individual or group might engage in delaying tactics in an attempt to outlast the committee.

The Warren Commission, which was under intense pressure to resolve the question of responsibility for the Kennedy assassination quickly, produced its final report within 10 months. That Commission did not have an independent investigative staff and conducted its proceedings in closed hearings. These factors, which may or may not have influenced the outcome of the Commission's investigation, have nevertheless contributed to the increasing challenges to that Commission's conclusions.

With the passage of time since the original investigations, there is no longer the pressure to arrive at quick conclusions. The Select Committee, with the advantage of hindsight, with independent investigators, and without artificial deadlines, will conduct the full, dispassionate, and comprehensive investigation that is necessary.

To the extent that it does not impede or impair the integrity of the investigation, the committee intends to hold open hearings. These sessions will be held as the investigations lead to verifiable conclusions, which either prove or disprove prior findings or allegations. In observing the various witnesses and being able to observe their demeanor and judge their credibility, the American public will have a greater basis for confidence in ultimate conclusions. These sessions will also enable the public to observe the investigation as it unfolds.

III. PRELIMINARY INVESTIGATION AND ANALYSES

In the 3 months since its establishment the Select Committee has initiated preliminary investigations into new and previously unpursued leads in both assassinations. While we cannot yet verify the results of our preliminary investigations, we can provide two examples which are representative of the investigative activity that the committee has undertaken.

On November 26, 1976, committee staff questioned extensively an ex-CIA agent regarding his personal knowledge of conversations between Lee Harvey Oswald and personnel within the Soviet and Cuban Embassies in Mexico City.

As a result of the initial questioning, members of the Kennedy Subcommittee held an executive session on November 27. Based on information obtained during the hearing, staff members were dispatched to Mexico where they located and interviewed new witnesses. These witnesses had never been sought out before by any investigative body, notwithstanding the fact that they had important information concerning statements by Lee Harvey Oswald in Mexico within 60 days of the assassination of President Kennedy.

With respect to the assassination of Dr. King, committee counsel obtained relevant information from a witness who had never been interviewed before by any investigative agency. This witness has stated that James Earl Ray related to him the fact that after Ray fled to Europe, Ray contacted another person from whom he received further instructions to aid in his continuing flight.

In other areas of inquiry, committee staff has interviewed persons with new relevant information who had never been contacted by any investigative agency. The committee intends to continue to pursue such information.

In addition to pursuing other new investigative leads, the committee has been conducting an intensive analysis of the evidence available in both assassinations in order to define and determine the nature and scope of the inquiry.

With respect to the Kennedy investigation, the chief counsel presented the committee with a list of hundreds of questions which must be resolved. The committee also has identified several hundred witnesses who must be interviewed.

The committee has taken positive steps to insure that it will preserve all relevant materials in the possession of investigative agencies. It has

issued several subpenas duces tecum to insure evidence will be made available. The committee has been informed that the Central Intelligence Agency alone is in possession of more than 60 cartons of materials relating to the assassination of President Kennedy and the activities of Lee Harvey Oswald prior to that assassination.

With respect to the assassination of Dr. King, the committee's initial examination of the events and circumstances during the period of James Earl Ray's escape from prison in Missouri in 1967 until his capture and subsequent extradition from England in 1968 gave rise to hundreds of questions. The committee has completed a detailed analysis of the stipulations of fact contained in the guilty plea of Ray in March 1969. The committee noted that during the course of the plea proceedings, Ray rose to advise the court that he did not concur with statements made by both the State prosecutor and his own attorney, that there had not been a conspiracy to assassinate Dr. King.

The committee does not mean to imply that there was or was not a conspiracy. It merely indicates that this is one of the areas which requires further investigation, especially in view of the failure to obtain a full statement of involvement from Ray by the Tennessee authorities.

Two staff members of the Select Committee traveled to Memphis, Tenn., and compiled a 76-page index of materials contained in only one of the evidentiary files. The Federal Bureau of Investigation has advised committee staff that it has more than 80 volumes of materials on the assassination and subsequent investigation into that assassination.

To insure the preservation of certain evidence and documents the Select Committee voted and issued a total of 12 subpenas duces tecum related to evidence in the asassination of Dr. King.

The Select Committee is cognizant of the significant accomplishments of other independent investigations by the Congress. A quantum of evidence relevant to our investigations has been accumulated by various committees and select committees of the House of Representatives and the Senate. To date, contacts by committee staff have demonstrated a willingness on the part of both Houses of Congress, their Members and various committees to cooperate in making those materials available to this committee.

On the basis of these numerous areas of inquiry and the necessity to preserve evidence already under subpena, the Select Committee unanimously recommends to the 95th Congress that the Select Committee on Assassinations be immediately reestablished to continue the investigation.

IV. STAFF AND BUDGET REQUIREMENTS

The committee wishes to emphasize that the unprecedented nature of the task identified in House Resolution 1540 makes past methods of determining the Select Committee's budget inappropriate.

The committee feels strongly that the integrity of this investigation is contingent upon the independence of our investigative efforts. The executive branch agencies, which were utilized in the past, are the very agencies whose previous performance may be the subject of a part of this investigation. The committee, therefore, cannot employ the services of the executive branch agencies. Both the size of the staff and the budget requirements are predicated on the necessity of conducting a comprehensive, impartial investigation.

The committee submits the following comparative analysis of budget and staffing levels of certain previous investigations as a standard by which our recommendations may be measured.

Warren Commission

Staff: 83.

Duration: 10 months.

The Warren Commission did not possess an independent investigative staff. For investigative purposes, they relied on the Federal intelligence agencies. We have been able to amass the following figures, indicating the level of support provided to the Warren Commission by each agency.

FBI: Provided 150 full-time agents who in turn conducted 25,000 interviews and submitted 2,300 reports totaling 25,400 pages. They also provided secretarial and clerical assistance.

CIA: Provided 12 full-time and part-time professionals. They also provided secretarial and clerical assistance.

Secret Service: Provided over 60 full-time professionals who conducted 1,550 interviews and submitted 800 reports totaling 4,600 pages. They also provided secretarial and clerical assistance.

Justice Department: Provided at least 4 full-time professionals.

State Department: Provided certain professional support.

IRS: Estimates that between their Internal Security Inspection Service and their Intelligence Division, they provided 6 staff-years of support.

FBI Investigation Re: Patty Hearst

The only figures available for this investigation are for the first 3-month period. During this initial 90-day span, the FBI spent $2,600,000. Figures for the number of staff employed are also unavailable.

New York State Special Nursing Home Investigation

This investigation of abuse of the medicaid program by nursing homes has a total staff of 421. The staff includes 65 lawyers, 156 auditors, 100 investigators, and 100 support personnel. Its present yearly budget is $6,000,000. In addition it utilizes 40 sitting grand juries, the cost of which is not included in the $6,000,000.

The committee feels that the staff and budget requirements it has identified at the end of this report are at minimal levels necessary to conduct comprehensive and independent investigations of the assassination of President Kennedy and Dr. King.

V. RECOMMENDATIONS

The committee and, indeed, the 94th Congress by the passage of House Resolution 1540 recognized that there are many lingering doubts as to the comprehensiveness and credibility of prior investigations into each of these assassinations. The questions which arise from even a preliminary analysis and investigation are legion. Thus, the Select Committee unanimously and unequivocally recommends:

(1) That the House of Representatives immediately move to continue the investigation of the circumstances surrounding the death of President John F. Kennedy and the death of Dr. Martin Luther King, Jr.

(2) That the House immediately re-establish the Select Committee to insure that evidence which is currently under subpoena will remain intact and under the continuing control of the House and to insure that there is no delay in the ongoing investigations.

(3) That the House approve the budget as set forth herein.

Select Committee on Assassinations—Budget summary, 1977

I. Salaries	$3, 635, 600
II. Travel—Domestic	1, 681, 200
III. Travel—International	180, 000
IV. Consultant services	155, 000
V. Witnesses	78, 900
VI. Stationery and supplies	117, 000
VII. Telephone and telegraph	425, 000
VIII. Equipment—Purchase	34, 350
IX. Equipment—Lease	141, 000
X. Reproduction, printing, and graphics	25, 000
XI. Books and periodicals	5, 000
XII. Miscellaneous	50, 000
Total	6, 531, 050

I. Salaries:	
A. (1) director	39, 600
B. (3) deputy chief counsels at $36,000	108, 000
C. (1) chief investigator	36, 000
D. (30) staff counsels (14 grade 3 at $28,000 to $34,000; 12 grade 2 at $20,000 to $28,000; 4 grade 1 at $12,000 to $20,000)	832, 000
E. (50) staff investigators (2 deputy chiefs at $30,000; 16 grade 3 at $24,000 to $28,000; 16 grade 2 at $18,000 to $24,000; 16 grade 1 at $12,000 to $18,000)	1, 084, 000
F. (5) legal unit (1 deputy chief counsel at $36,000; 2 grade 3 at $28,000 to $34,000; 2 grade 2 at $20,000 to $28,000)	152, 000
G. (30) document analysis and research unit (1 chief of unit at $34,000; 2 deputy chiefs of unit at $24,000 to $30,000; 4 senior researchers at $18,000 to $24,000; 7 staff researchers at $10,000 to $18,000; 11 document clerks at $8,000 to $12,000; 1 senior computer analyst at $25,000; 4 computer analysts at $16,000 to $20,000)	497, 000
H. (4) polygraph/PSE unit (4 at $30,000)	120, 000
I. (2) security unit—$30,000 and $16,000	46, 000
J. (9) administrative/budget unit (1 chief administrator at $34,000; 1 chief clerk at $25,000; 2 executive assistants at $25,000; 2 task force managers at $18,000; 1 editor/hisrorian at $22,000; 1 public information officer at $34,000; 1 budget officer at $30,000)	231, 000
K. (35) secretarial/clerical (35 at $10,000 to $16,000)	490, 000
Total (170)	3, 635, 600

II. Travel—Domestic:	
A. Attorneys/investigators (80 traveling—2 times per month, 5-day duration):	
Transportation—1,920 trips at $400	768, 000
Per diem—1,920 trips at $250	480, 000
Subtotal	1, 248, 000

II. Travel—Domestic—Continued	
B. Chief, deputy counsels, polygraph/PSE unit, legal unit and administrative (15 traveling—3 times per month, 3-day duration):	
Transportation—540 trips at $400	216,000
Per diem—540 trips at $150	81,000
Subtotal	297,000
C. Document analysis and research unit (5 traveling—1 time per month, 5-day duration):	
Transportation—60 trips at $400	24,000
Per diem—60 trips at $250	15,000
Subtotal	39,000
D. Committee members:	
Full Committee (2 meetings—2-day duration):	
Transportation—22 trips at $450	9,900
Per diem—22 trips at $100	2,200
Subcommittee—executive sessions (2 traveling—3 times per month, 2-day duration):	
Transportation—72 trips at $450	32,400
Per diem—72 trips at $100	7,200
Subtotal	51,700
E. Stenographic/secretarial/clerical (2 traveling—3 times per month, 2-day duration):	
Transportation—72 trips at $400	28,800
Per diem—72 trips at $100	7,200
Subtotal	36,000
F. Local travel—staff (Washington, D.C., $50 per day times 250)	12,500
Total	1,684,200
III. Travel—International:	
A. Committee members and staff (8 traveling 12 times per year, 5-day duration):	
Transportation—96 trips at $1,500	144,000
Per diem—96 trips at $375	36,000
Total	180,000
IV. Consultant services:	
A. Forensic (i.e. medical, ballistics).	
B. Experts—fingerprinting, handwriting, document analysis, criminalists (i.e. fiber, hair, clothing), neutron activation analysts, voice prints, electronic, photographic.	
C. Translators—audiovisual, etc.:	
Fee: 1,000 man-days at $100	100,000
Travel (100 trips—3-day duration):	
Transportation—100 trips at $400	40,000
Per diem—100 trips at $150	15,000
Total	155,000
V. Witnesses:	
A. Travel (78 trips, 3-day duration):	
Transportation—78 trips at $400	31,200
Per diem—78 trips at $150	11,700
B. Security: 120 days at $300	36,000
Total	78,900

VI. Stationery and supplies:	
A. Startup allowance, 170 times $300	51,000
B. Resupply, 170 times $300	51,000
C. Special supplies such as tapes, etc	15,000
Total	117,000
VII. Telephone and telegraph:	
A. Basic service	50,000
B. Long distance—300 days times $1,250	375,000
Total	425,000
(Note: The basic service amount has been furnished by the Chesapeake-Potomac Telephone Co. representative. Long distance charges have been estimated at 250 calls per day at an average cost of $5 per call.)	
VIII. Equipment—purchase:	
A. Tape recorders (25 at $150; 2 at $300)	4,350
B. Cameras, projectors, screen, etc	2,000
C. Polygraphs (2 at $2,800)	5,600
D. Stress evaluators (2 at $4,000)	8,000
E. Miniphone recording devices (2 at $2,200)	4,400
F. Security devices for staff offices	10,000
Total	34,350
IX. Equipment—Lease:	
A. Xerox—3 at $12,000	36,000
B. IBM Memory Typewriter—2 at $2,500	5,000
C. Computer services	100,000
Total	141,000
(Note: The major portion of the committee's computer service needs will be handled through the facilities of the Committee on House Administration. The direct charges to the Select Committee will be $57,600 for computer terminals. There will be other charges which have yet to be determined by the Committee on House Administration.)	
X. Reproductions, printing, and graphics: This allowance is needed for the development of films, enlargements, special printing, art work, graphics, etc	25,000
XI. Books/periodicals: This amount is needed for books, literature, periodicals, newspapers, etc	5,000
XII. Miscellaneous: Contingency allowance (this amount is a contingency allowance representing approximately 1 percent of the budget to allow for underestimating in the various expense categories and to provide for unanticipated expenses)	50,000

ADDITIONAL VIEWS OF HENRY B. GONZALEZ

I completely support the recommendation of the committee, urge that the 95th Congress immediately reestablish it, and that a budget be approved in the full amount requested.

If ever a legislative effort began with less promise, it was the work of this Select Committee. The committee began its work in the waning days of the 94th Congress, had no staff, no offices, no time to organize properly, and no time to prepare or carry out the study it was commissioned to do. The committee has, however, accomplished more than anyone could have thought possible.

First, the committee has secured the services of an outstanding chief counsel, Richard A. Sprague; he is one of the most effective and respected investigators in the country today. The committee has also been able to hire a team of exceptionally able investigators, researchers, and attorneys. There is absolutely no doubt that Mr. Sprague and his Staff can conduct a completely independent, dispassionate, objective, and thoroughly professional study, given time and adequate support.

In the very short time available, the committee has obtained a substantial amount of information and evidence, and placed these under its control. Researchers and investigators have compiled, and indexed an immense amount of material, initiated some investigations, and most important, prepared the ground for the sustained effort ahead.

Second, the committee has defined its job and has a clear idea of how it is to be accomplished.

The committee does not intend to prove or disprove any theory concerning the assassinations it will study. Instead, the committee will conduct a completely new, independent study. It will begin with the events, take the evidence available, verify that evidence, and reach reasonable conclusions based on the available evidence: no more, no less.

I recognize that an approach of this kind will entail a substantial amount of money, and will require a large number of people; moreover, a study of this kind will take time, and cannot be subject to any deadlines. To have any meaning, the investigation must rely on unimpeachable integrity. To do less than a completely thorough job would be to accomplish nothing at all.

The committee is unanimous in its conclusion that it must be able to rely completely on its own resources. We know that neither the FBI nor CIA cooperated fully with the Warren Commission; and we know that the FBI Director in 1968 had passionate feelings against Dr. Martin Luther King—feelings that might well have been reflected in less than objective work by his subordinates. The decision of the committee to rely on its own staff rather than Executive agencies does not reflect on the integrity or efficiency of those agencies; but we are determined that this be a completely independent study, not in any way affected by the interests of any agency or group.

Investigations of any kind are expensive. Few people, perhaps few of my colleagues, realize how costly even a simple investigation can be. The scope of this study, and the fact that evidence and witnesses are scattered far and wide, the complexity of carrying out two major homicide investigations at once, will make this a very expensive effort. But I am satisfied that the study must be independent, must be thorough, and that every finding must be as thoroughly verified as humanely possible, or the entire effort will be meaningless.

Third, the committee has demonstrated its competence. In the very short amount of time it has had available, the committee has accomplished miracles of organization, defined its work, and begun an extremely complex set of investigations. It is difficult to imagine how it could have accomplished more than it has, especially under the very adverse conditions it has been forced to operate under.

I believe the committee has demonstrated that it has a real task to accomplish. If it is permitted to proceed, the committee can settle hundreds of questions about the murder of President Kennedy and that of Dr. King. Beyond that, the committee can shed light on the larger issue of political murder and violence. We should not foreget that President Ford had his own narrow escapes; no Member of the House should forget that the Capitol Building was bombed; and no Member of the House should forget that we live and work under increasingly tight security measures.

It is necessary today to have a vast police force in and around the Capitol. It is necessary to have television monitors on every door. It is necessary to have parcels X-rayed.

Every airline passenger must be subjected to an electronic search for metal, and baggage carried aboard airplanes, and even into boarding areas, must be X-rayed.

Visitors to the Supreme Court must be cleared.

New gates and increasingly sophisticated surveillance devices surround and protect the White House. A whole new police force is employed to protect Embassies.

All of this reflects an age of political violence; all of it has come about since 1963. All of it shows that we have not learned the answer to the crucial question: Why?

That, as I see it, is the ultimate task of the Select Committee—to find out not just what happened, but why.

If we can answer that question, it may be possible to end political violence, and begin taking down the security measures that repress all of us, and represent a genuine threat to free government. Political violence is not inevitable, and it is not inexplicable. The Select Committee may, and I hope will, shed light on why these events took place, and why they shadow all our lives, even today—and how we can begin to end political violence and the omnipresent threat of it, which is, in fact, a threat to free government itself.

HENRY B. GONZALEZ.

SUPPLEMENTAL VIEWS OF CONGRESSPERSONS LOUIS STOKES, WALTER E. FAUNTROY, YVONNE BRATHWAITE BURKE, AND HAROLD E. FORD

The purpose of these supplemental views is to strongly emphasize our concurrence in the recommendation contained in the committee's report. In our opinion, the House of Representatives took a giant step toward restoring the faith of the American people in their Government when, in the 94th Congress, it passed House Resolution 1540 by a majority vote of 280 to 65 and established the Select Committee on Assassinations. Just this past week, the latest Gallup Pool told us that 80 percent of the American people do not believe that either Lee Harvey Oswald or James Earl Ray acted alone in the murders of President John F. Kennedy and Dr. Martin Luther King, Jr. They feel that their Government has not told them all that it knows or that it is in position to find out about the brutal assassinations of two of the most important leaders of the Post World War II era.

The following article appeared in the Washington Post on December 26, 1976, and read as follows:

> As the House Select Committee on Assassinations begins its investigations, the overwhelming majority of Americans believe that others besides Lee Harvey Oswald were involved in the assassination of President Kennedy in Dallas on November 22, 1963.
>
> In the latest survey, just completed, 80 percent think others were involved in the assassination, while only 11 percent think Oswald acted alone. Nine percent do not express an opinion. Persons with a college background, while overwhelmingly of the opinion that some form of conspiracy was involved, are less inclined to hold this view than are persons with less than a college background.
>
> Approximately one-half of the survey respondents who believe others were involved did not name a specific group. Among those who did, however, Cuba or Premier Fidel Castro were mentioned most often. Other responses frequently given are "the Mafia," "Communists," and the Central Intelligence Agency.
>
> The same survey also shows that few Americans believe James Earl Ray acted on his own in the assassination of the Revered Doctor Martin Luther King, Jr. in Memphis on April 4, 1968. Only 18 percent hold this view, while 69 percent think others were involved and 13 percent do not express an opinion.
>
> An investigation into the assassinations of Kennedy and King was recently begun by the newly established House Select Committee on Assassinations—the sixth to be conducted on a large scale by Government officials since Kennedy was assassinated.

Thus, in the case of the death of President Kennedy, in spite of the Warren Commission investigation and the investigations by other Federal agencies and the U.S. Congress, the final reports to the American people have lacked the thoroughness to allay their suspicions that a conspiracy existed which has not yet been uncovered. In the case of James Earl Ray and the King murder, the same general suspicions exist. The threshold inquiries made into these two deaths by our present committee do not provide the answers to these rumors, theories, and suspicions. If these fears, theories, suspicions, and rumors are to be put to rest and if the confidence of the American people is to be restored in the investigative agencies of their Government, a thorough, competent and objective investigation into each of these deaths is an absolute necessity.

This committee has proceeded in that vein. The committee has selected Mr. Richard Sprague, a prominent prosecuting attorney as chief counsel and director of its staff. He is in the process of establishing a staff of attorneys, investigators, and administrative personnel who are capable of exhibiting the highest degree of competence and professionalism in the enormous task of investigating two murders. The Warren Commission was able to avail itself of the investigative personnel of numerous agencies such as the FBI, CIA, the Secret Service, the Justice Department, the State Department, and the Internal Revenue Service.

The integrity of the results of the investigation by the Select Committee on Assassinations will be predicated upon a thorough, objective, fair, and impartial investigation by professional personnel, who will be independent and will be free from the taint of "investigating themselves." It is imperative, therefore, that these minimum staff and budget recommendations which are being requested be granted by the 95th Congress. If in the final analysis we have been able to help restore the faith and confidence of the American people in their Government, this Congress will have justified the costs and will have endeared itself to the people whom we serve.

LOUIS STOKES.
WALTER E. FAUNTROY.
YVONNE BRATHWAITE BURKE.
HAROLD E. FORD.

SUPPLEMENTARY VIEWS OF CONGRESSMAN CHARLES THONE

I am in basic agreement with the Report of the Select Committee on Assassinations to the 94th Congress. I do, however, wish to make the following observations.

Unless this Select Committee maintains complete credibility with the American public, its efforts will be in vain. Anything that subtracts from the faith and confidence that the people of the United States have in this committee will greatly diminish the value of its final report.

Therefore, I have been deeply concerned by the tendency of a majority on the committee to conduct far too many meetings in executive session. I grant there will be some matters coming before the committee that should be heard in executive sessions. Examples of such matters are testimony that would endanger the national security and, in special investigative hearings, such testimony or evidence that would tend to defame, degrade, or incriminate an individual who might be innocent. By and large, however, we can only serve the public well through conducting our sessions after adequate notice and in public.

At the December 17, 1976, meeting of the committee, a motion which I introduced was adopted unanimously by those present. It specifically provides in the reconstruction resolution of this committee for the 95th Congress that the committee, at its first meeting in 1977, must adopt rules for its conduct and that those rules must be in accordance with House of Representatives rules.

Rule XI provides that every committee of the House shall adopt written rules governing its procedure, and Rule XI 2(g)(1) provides that "Each meeting for the transaction of business, including the markup of legislation, of each standing committee or subcommittee thereof shall be open to the public except when the committee or subcommittee, in open session and with a quorum present, determines by rollcall vote that all or part of the remainder of the meeting on that day shall be closed to the public." Other meeting rules cover proper notice, specified record keeping and some very limited exceptions to open sessions. We can and must follow both the letter and spirit of these rules.

Yes, by all means this Select Committee on Assassinations must operate scrupulously and diligently within the rules of the House. Furthermore, we must strive, within the rules, to be open and accessible to the public and their representatives, the news media. For this committee, credibility is everything. And credibility will best be served, as usual, by conducting public business in public.

CHARLES THONE.

ADDITIONAL VIEWS OF CONGRESSMAN CHRISTOPHER J. DODD

"Independence, thoroughness, and openness" must be the guiding principles of these new investigations into the assassinations of President John F. Kennedy and the Reverend Martin Luther King, Jr. by our House Select Committee on Assassinations.

In endorsing this report, I would like to take this opportunity to elaborate on these themes, and to underscore their importance to the ultimate success or failure of our efforts. I also want to share my personal views on these inquiries, as the committee begins this ambitious undertaking.

As an early cosponsor of congressional resolutions calling for this Select Committee, I have long felt that there remain many unanswered questions surrounding these assassinations—expecially questions about the roles of the Federal agencies charged with investigating these terrible crimes.

The specific questions highlighted in this report as to the conduct of the Central Intelligence Agency, and its apparent knowledge of some of Lee Harvey Oswald's activities in Mexico before the Kennedy assassination, are examples of just such continuing concerns.

Another example underscored in this document is the question of the Federal Bureau of Investigation's reported surveillance of Dr. King, and whether FBI agents were in Memphis and near the civil rights leader at the time of his death.

The House Judiciary Subcommittee on Civil Rights, on which I serve and which has oversight responsibility for the FBI, found it necessary last year to hold hearings about that agency's activities before and after President Kennedy's assassination. After taking part in those hearings, I can say our subcommittee raised more new questions about the FBI and the assassination than we received answers to old ones.

Since then, other pressing legislative responsibilities—such as FBI surveillance guidelines and bankruptcy law reforms—prevented our Judiciary Subcommittee from pursuing these new questions, and the unanswered old ones, as fully as would have been desired.

The allegations of possible conspiracies, and of the possible withholding of evidence, are more of the many additional questions about these assassinations which should be laid to rest once and for all, so that these tragic chapters in American history can at last be closed.

I think this new, Select Committee represents a unique opportunity for Congress and the American people to finally resolve the issues still surrounding these murders, and I would hope the committee will be able to provide the answers to all these continuing questions.

However, it must be pointed out that this committee could, after its lengthy, exhaustive inquiries, still reach the same conclusions about these assassinations that other investigating bodies have before us. Or this committee might arrive at far different conclusions.

The American people have a right to know the full stories behind these assassinations. They have a right to know the motives and reasons for them, how these deeds were accomplished, and who truly was responsible for them.

This Committee, then, has a great responsibility to fulfill, and the ways it accomplishes this task are of the utmost importance. It is here where "Independence, thoroughness, and openness" count the most.

"Independence"—As mentioned before in these views and in the body of this report, major criticisms of past investigations of these assassinations focus heavily on the activities of the Federal justice and intelligence agencies charged with conducting the initial criminal inquiries.

In light of the fact that these Federal agencies could be the subject of part of our investigation, it would be wholly inappropriate to employ their services as has been done in past assassination studies. Such reliance on these agencies would prejudice the necessary impartiality and credibility of our inquiries.

Therefore, it is crucial to the success of this committee that it retain an experienced, professional investigative and legal staff completely independent from these Federal Government agencies. This great need for an independent staff is the primary reason why the proposed committee budget totals what it does.

"Thoroughness"—I am pleased that the members of this committee, and its staff, are committed to pursuing every possible avenue of investigation and every conceivable theory and lead about these assassinations.

This determination to find definitive answers, if they exist, to all the questions surrounding the assassinations is significant, because the committee's work must withstand the tests of time which other investigations apparently have failed to pass. In 10, 20, 30, or 100 years after the end of our inquiries, the American people should not have to face the doubts about these crimes which exist today.

Our committee must go about its deliberations in the most considered and careful manner possible—eschewing making judgments and conclusions until all the evidence is gathered and evaluated. It is essential that the committee and staff approach these inquiries with completely open minds, so as to avoid possible charges from any quarter that we are being less than objective.

Central to the thoroughness of our investigations will be the necessity to obtain confidential, sensitive, or classified material from Federal agencies. In this regard, I believe the committee should insist on full and total disclosure of all relevant documents in raw, rather than edited or excised, form.

The committee should have the unlimited opportunity to make an independent analysis of these documents, and it should not accept any preselection or screening of information by any agency. Acceptance of edited or screened information could jeopardize the independence of the committee's investigations and could raise the possibilities of pertinent information being withheld by the agencies.

To obtain the necessary raw information and documents, the Select Committee should avoid the past experiences of other congressional bodies which made "treaties" with Federal agencies about access to information.

The requirements of a thorough, independent investigation must not be compromised away through "treaties," and the committee must be willing to employ all appropriate means, including contempt of Congress citations, to obtain needed information. The committee furthermore must be willing to vigorously pursue subpoenas and contempt citations to the fullest legal extent possible in its efforts to secure relevant information.

In insisting on total disclosure of relevant agency information relating to the assassinations, the committee must recognize a paramount responsibility to ensure the safekeeping and confidentiality of such materials through whatever elaborate security measures and personnel clearance procedures are necessary. The act of "leaking" any such materials should face the most severe penalties, also.

Lastly in the area of "thoroughness," I would caution the American people to also avoid reaching premature conclusions about the nature, progress and results of the committee's examinations.

It would be misleading for the public to view committee deliberations and hearings about specific allegations, observations, theories, et cetera regarding the assassinations as official endorsements of the validity of these pieces of information.

Until any interim or final committee reports set forth conclusive findings from the investigations, any deliberations and hearings, and their contents, should be viewed as part of the overall process by which we are attempting to determine the truthfulness or falsity of all this information.

"Openness"—Clearly, the question whether to hold meetings and hearings in public or in closed session is one of the most difficult with which the committee must deal. The obligation has, as an arm of a public institution, Congress, to do its business in public must be balanced by the need to protect the confidentiality of certain sensitive information.

I believe that a meeting or a hearing of our committee should be closed only when it has been demonstrated that an executive session is necessary to:

(1) protect the constitutional rights and safety of witnesses;

(2) avoid jeopardizing the ongoing investigations, such as by risking loss of potential evidence; and,

(3) safeguard national defense information.

Any decision to close a meeting or hearing should be made by a rollcall, rather than a voice, vote.

During the course of the committee's investigations, as plateaus are reached where significant evidence has been verified, allowing various conclusions to be drawn, then it would seem proper for the committee to hold open sessions, or to issue interim reports, to keep the public informed of its work.

This committee has an obligation to conduct as much of its business as possible in open sessions, where the American people can follow our investigations and judge for themselves how well or poorly we are discharging our responsibilities. Such openness, I submit, is essential to establishing the credibility of our committee and of the results of its investigations.

The American people should have the opportunity to observe how the members of this committee question witnesses. The public should

be afforded as many insights as possible into the actual workings of the investigations, because such participation will mean that our final conclusions will be more credible to all Americans.

During floor debate on the House resolution establishing the committee, a major argument in its favor was that, unlike past investigations, we would allow the people to oversee our deliberations. Such openness, it was argued, would help to quell public mistrust of Congress and of our governing process, in general. This argument remains valid today.

Our committee might finally conclude that past investigations of the Kennedy and King assassinations were correct in their findings, thus rejecting the many alternative theories now circulated. Or we might show some of these theories to be correct.

What is as important here as any specific conclusion we might reach, is that we allow a reasonable, open process to work, and that we demonstrate to the people that we are giving each and every theory thorough scrutiny before accepting or rejecting it. In this way, no one in the future, will be able to challenge the committee's integrity and responsibility, as past investigations have been challenged.

To further demonstrate the committee's commitment to conducting an open inquiry, and to allow discussion in the near future of the best way to strike a balance between our public obligation and the need to maintain a certain level of confidentiality, I again would urge the committee to draft a comprehensive policy statement or set of rules dealing with these issues. Policy or committee rules regarding the handling of sensitive documents, and statements to the press by individual members, also should be proposed for discussion. Such rules or policies should be debated and voted on by the committee at an open session early next year.

In summary, I feel that the Select Committee has made a productive beginning, and by this report, has demonstrated that it should be reconstituted as quickly as possible in the 95th Congress to allow the investigations to proceed without a loss of continuity or momentum. I urge all my colleagues in Congress to support such a reestablishment of the committee.

Furthermore, I believe that only through independence, thoroughness, and openness will the committee earn and continue to receive the full support of the American people to pursue these deliberations along whatever paths the investigations might lead, including the firm steps needed to enforce subpoenas and contempt of Congress citations.

And it will be only by following these guiding principles that the committee, and its work, will be acceptable to the American people as providing proper answers to the disturbing questions which still surround the assassinations of President John F. Kennedy and The Reverend Martin Luther King, Jr.

CHRISTOPHER J. DODD.

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10 February 1977

CIA and the Investigations of the Assassination of President Kennedy

1. From the day of the assassination of President Kennedy by Lee Harvey Oswald, and in support of the various inquiries that have been conducted subsequently, CIA has contributed to the considerations of the various investigative authorities.

2. Immediately following President Kennedy's assassination on 22 November 1963, CIA conducted an intensive inquiry into information that it had concerning Lee Harvey Oswald. A number of overseas stations were tasked to provide such information as they might have, with the station in Mexico City receiving special attention because of Oswald's visit there from 27 September through 3 October 1963. With the appointment of the President's Commission on the Assassination of President Kennedy (the Warren Commission) CIA functioned in support of that investigation. CIA reporting was provided to the FBI, and extensive materials were supplied to the Warren Commission in response to its various requests and lines of inquiry.

3. The next full-scale investigations were conducted in 1975. The first of these was by the Commission on CIA Activities Within the United States (the Rockefeller Commission). Staff members were given access to Agency files concerning Oswald and the Warren Commission investigation. A number of special studies were prepared for the Rockefeller Commission on questions of special interest. The final report of the Rockefeller Commission devoted a chapter to Allegations Concerning the Assassination of President Kennedy (Chapter 19). That chapter noted that allegations had been made that the CIA participated in the assassination of President Kennedy and "concluded there was no credible evidence of any CIA involvement."

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4. Also in 1975 the U.S. Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities (the Church Committee) conducted a study of alleged assassination plots involving foreign leaders, on which an interim report was published on 20 November 1975. The Church Committee also conducted a study of the performance of the intelligence agencies during the investigation by the Warren Commission, on which it published a report dated 23 April 1976 (The Investigation of the Assassination of President John F. Kennedy: Performance of the Intelligence Agencies). Various questions raised in this report have led to an extensive research effort by CIA in an attempt to address those unresolved questions on which the Agency has some record. This research has proved a major undertaking which is still in process; an interim report is presently being prepared.

5. In September 1976, the House of Representatives approved the formation of a Select Committee on Assassinations, originally chaired by Representative Downing who was succeeded by Representative Gonzalez at the beginning of the current session. The Committee's staff, headed by Chief Counsel and Staff Director Richard A. Sprague, conducted some brief preliminary investigations at the end of the last session of Congress and has issued a preliminary report. This brief report was principally designed to provide the basis for approval by the full House of the continuation of the Committee and for a full staff and budget. The House has voted a two-month extension at a reduced budget and the Committee continues its dual investigations of the assassinations of President Kennedy and Reverend Martin Luther King.

6. CIA has had a number of preliminary meetings with Mr. Sprague concerning working arrangements for access to classified information, including security standards and practice. Additionally, very limited classified information has been made available to Mr. Sprague bearing on issues selected for preliminary investigation. Pending completion of working arrangements, material released by CIA in response to requests under the Freedom of Information Act (FOIA) has been passed to Mr. Sprague. An extensive review of these materials has been underway since April 1976, for FOIA release; as additional documents are approved for release, copies will be delivered to Mr. Sprague. As soon as working arrangements are completed, and the Select Committee on Assassinations staff is organized, it is expected that committee staff members will have access to Agency files at CIA. At this time there are no outstanding requests from the Committee.